

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

M E M O R A N D U M

Honorable Lawrence J. O'Neill
United States District Judge
Fresno, California

RE: Juwan Tonay FERGUSON
Docket Number: 1:08CR00116-001 LJO
Recommended Conditions of
Supervised Release/Order of Approval

Your Honor:

On June 24, 2011, the defendant was re-sentenced following appeal from a sentence of Life, to 96 months prison. A term of three years supervised release (TSR) was imposed. The terms and conditions of TSR were not imposed at the re-sentencing hearing, however, subsequent contact with the Government, defense counsel, and the defendant through defense counsel, has resulted in an agreed recommendation for the imposition of the following "Standard" and "Special" conditions of TSR:

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without permission of the Court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation

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officer for schooling, training or other acceptable reasons;

6. The defendant shall notify the probation officer ten days prior to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court; and
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

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1. The defendant shall submit to the search of his person, property, home, and vehicle by a United States probation officer, or any other authorized person under the immediate and personal supervision of the probation officer, based upon reasonable suspicion, without a search warrant. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
 2. The defendant shall provide the probation officer with access to any requested financial information.
 3. As directed by the probation officer, the defendant shall participate in an outpatient correctional treatment program to obtain assistance for drug or alcohol abuse.
 4. As directed by the probation officer, the defendant shall participate in a program of testing (i.e. breath, urine, sweat patch, etc.) to determine if he has reverted to the use of drugs or alcohol.
 5. The defendant shall abstain from the use of alcoholic beverages and shall not frequent those places where alcohol is the chief item of sale.
 6. As directed by the probation officer, the defendant shall participate in a program of outpatient mental health treatment.
 7. As directed by the probation officer, the defendant shall participate in a co-payment plan for treatment or testing and shall make payment directly to the vendor under contract with the United States Probation Office of up to \$25 per month.
 8. The defendant is prohibited from having contact with the victim's family.
- Should Your Honor have any questions or concerns, please feel free to contact me.

Respectfully submitted,

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/s/ Melinda S. Peyret

MELINDA S. PEYRET
Senior United States Probation Officer

REVIEWED BY: /s/ Robert A. Ramirez
ROBERT A. RAMIREZ
Supervising United States Probation Officer

THE COURT ORDERS:

(**X**) Above Standard and Special Conditions be imposed.

() Other:

IT IS SO ORDERED.

Dated: June 30, 2011

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE